

031604

17707 U.S. PTO

Practitioner's Docket No. 57715/03-507

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

22387 U.S. PTO  
10/801757

031604

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): William R. RAUN; Gordon V. JOHNSON; John B. SOLIE;  
Marvin L. STONE; Kyle FREEMAN

For (title): USE OF WITHIN-FIELD-ELEMENT-SIZE CV FOR IMPROVED NUTRIENT  
FERTILIZATION IN CROP PRODUCTION

## 1. Type of Application

This application is for a continuation-in-part (C-I-P).

## 2. Benefit of Prior U.S. Application (35 U.S.C. §§ 119(e), 120, or 121)

The new application being transmitted claims the benefit of a prior U.S. application. This application is a continuation-in-part of co-pending application Serial No. 10/195,138, filed 7/12/2002, which is a

**EXPRESS MAILING UNDER 37 C.F.R. § 1.10\****(Express Mail label number is mandatory.)**(Express Mail certification is optional.)*

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EL795732152US on:

NANCY J. MOORE

Type or print name of person mailing paper

Date: March 16, 2004

*Nancy J. Moore*

Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

continuation-in-part of co-pending application Serial No. 09/911,867, filed 7/24/2001, now U.S. Patent No. 6,601,341.

**3. Papers Enclosed**

- A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

24 Page(s) of Specification  
12 Page(s) of Claims  
6 Sheet(s) of Drawing(s)--Formal

- B. Other Papers Enclosed

1 Page(s) of Abstract  
4 Page(s) of Application Data Sheet

**4. Declaration or Oath**

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of all of the above-named inventors.

**5. Language**

English

**6. Fee Calculation (37 C.F.R. § 1.16)**

Regular Application

CLAIMS AS FILED														
Number Filed				Number Extra				Rate		Basic Fee 37 C.F.R. § 1.16(a) 770.00				
Total														
Claims (37 C.F.R. § 1.16(c))				28	–	20	=	8	x \$	18.00	= \$	144.00		
Independent														
Claims (37 C.F.R. § 1.16(b))				6	–	3	=	3	x \$	86.00	= \$	258.00		
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))											+ \$	280.00	= \$	0.00

Filing Fee Calculation

\$1,172.00

**7. Assertion of Small Entity Status**

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.

Filing Fee Calculation (50% of above Filing Fee Calculation)

\$586.00

**8. Fee Payment Being Made at This Time**

Enclosed

Filing Fee

\$586.00

**Total Fees Enclosed**

\$586.00

**9. Method of Payment of Fees**

Authorization is hereby made to charge the amount of \$586.00 to Deposit Account No. 06-0540.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

**10. Authorization to Charge Additional Fees**

The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

37 C.F.R. § 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))

37 C.F.R. § 1.17 (application processing fees)

**11. Instructions as to Overpayment**

Credit Account No. 06-0540.

**12. Notification in Parent Application of this Filing**

A notification of the filing of this continuation-in-part is being filed in the parent application, from which this application claims priority under 35 U.S.C. Section 120.

Date: 3/16/04

Reg. No.: 36,050  
Tel. No.: (918) 599-0621  
Customer No.: 22206



Signature of Practitioner

R. Alan Weeks  
FELLERS, SNIDER, BLANKENSHIP,  
BAILEY & TIPPENS, P.C.  
321 South Boston, Suite 800  
Tulsa, OK 74103-3318

219811.1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: William R. RAUN, et al. )  
Application No.: 10/195,138 )  
Filed: 07/12/2002 )  
For: A PROCESS FOR IN-SEASON FERTILIZER )  
NUTRIENT APPLICATION BASED ON )  
PREDICTED YIELD POTENTIAL )  
Group No.: 3643 )  
Examiner: Jeffrey L. Gellner )

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

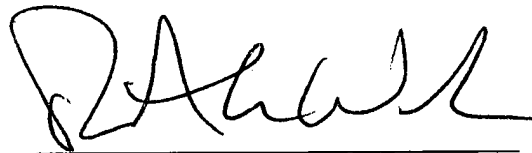
**NOTIFICATION OF FILING OF CONTINUING, DIVISIONAL  
OR CONTINUED PROSECUTION APPLICATION**

Notification is hereby being made of the filing of a continuation-in-part application for this case concurrently herewith.

Date: 3/16/04

Reg. No.: 36,050  
Tel. No.: (918) 599-0621  
Customer No.: 22206

219819.1



Signature of Practitioner

R. Alan Weeks  
FELLERS, SNIDER, BLANKENSHIP,  
BAILEY & TIPPENS, P.C.  
321 South Boston, Suite 800  
Tulsa, OK 74103-3318